

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ROBERTO MORALES,

Plaintiff,

9:07-CV-0416

vs.

SUBARU RAMINENI, Doctor, Mid-State
Correctional Facility,

Defendant.

APPEARANCES:

ROBERTO MORALES
Plaintiff, *pro se*
95-A-3371

David N. Hurd
United States District Judge

O R D E R

Presently before the Court is an amended complaint filed by Roberto Morales ("Morales"). See Docket No. 5. The amended complaint was submitted by Morales in compliance with the Order issued by this Court on April 26, 2007.

Since the amended complaint filed by Morales appears to cure the defects that existed in his prior complaint, it may properly be filed with the Court.

THEREFORE, it is

ORDERED, that

1. The Clerk update the Court's docket to reflect the parties as set forth in the caption of this Order;
2. The Clerk shall issue a summons and forward it, along with a copy of the amended complaint, to the United States Marshal for service upon the defendant, together

with a copy of this Order;

3. A formal response to plaintiff's amended complaint shall be filed by the defendant or his counsel as provided for in the Federal Rules of Civil Procedure subsequent to service of process on the defendant;

4. All pleadings, motions and other documents relating to this action shall be filed with the Clerk of the United States District Court, Northern District of New York, 7th Floor, Federal Building, 100 S. Clinton St., Syracuse, New York 13261-7367. Any paper sent by a party to the Court or the Clerk shall be accompanied by a certificate setting forth the date a true and correct copy of same was mailed to all opposing parties or their counsel. Any letter or other document received by the Clerk or the Court which does not include a certificate of service which clearly states that an identical copy of same was served upon all opposing parties or their attorneys is to be returned without processing. Plaintiff shall also comply with any requests by the Clerk's Office for any documents that are necessary to maintain this action. Motions must comply with Local Rule 7.1 of the Northern District of New York and are to be made returnable before the assigned Magistrate Judge on any business day with proper allowance for notice as required by the Rules. Plaintiff is also required to promptly notify the Clerk's Office of any change in his address; his failure to keep such office apprised of his current address will result in the dismissal of the instant action. All motions will be decided on submitted papers, without oral argument, unless otherwise ordered by this Court.

IT IS SO ORDERED.



United States District Judge

Dated: June 11, 2007
Utica, New York.